

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

CARMENO SLOJKOWSKI,

Plaintiff,

vs.

CLARK COUNTY FAMILY SERVICES, *et al.*,

Defendants.

Case No. 2:12-cv-00907-KJD-GWF

**ORDER**

This matter comes before the Court on Plaintiff's Civil Rights Complaint (#1), filed on May 29, 2012, 2012. Plaintiff is proceeding in this action *pro se*. Plaintiff submitted a Complaint (#1) pursuant to 42 U.S.C. § 1983, but did not pay the required filing fee of \$350.00 or file an application to proceed *in Forma Pauperis* in compliance with 28 U.S.C. § 1915(a)(1), (2) and Local Rule ("LSR") 1-1.

Pursuant to 28 U.S.C. § 1914(a), a filing fee of \$350.00 is required to commence a civil action in federal district court. The court may only authorize the commencement of an action without prepayment of fees and costs or security therefor, by a person who submits an affidavit that includes a statement showing the person is unable to pay such costs. 28 U.S.C. § 1915(a)(1). This Court's Local Rules provide that "[a]ny person, who is unable to prepay the fee in a civil case, may apply to the Court for authority to proceed *in forma pauperis*. The application shall be made on the form provided by the Court and shall include a financial affidavit disclosing the applicant's income, assets, expenses and liabilities." LSR 1-1.<sup>1</sup>

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<sup>1</sup> It does not appear Plaintiff is incarcerated but, if so, the Court may waive the filing fee where the prisoner-plaintiff complies with the strict application to proceed *in forma pauperis* filing requirements imposed by the Prison Litigation Reform Act. See 28 U.S.C. § 1915; *Page v. Torrey*, 201 F.3d 1136, 1139 (9<sup>th</sup> Cir. 2000).

1 Based on the foregoing and good cause appearing therefore,

2 **IT IS HEREBY ORDERED** that Plaintiff shall file an Application to Proceed *in Forma*  
3 *Pauperis* accompanied by a signed financial certificate. The Clerk of the Court shall send Plaintiff  
4 a blank application form for *pro se* litigants who are not incarcerated. In the alternative, Plaintiff  
5 may make the necessary arrangements to pay the filing fee of three hundred fifty dollars (\$350.00),  
6 accompanied by a copy of this Order. Plaintiff shall have **thirty (30) days** from the date on which  
7 this Order is entered to comply. Failure to comply will result in a recommendation to the District  
8 Judge for dismissal of this action.

9 DATED this 6<sup>th</sup> day of August, 2012.

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13 Carl W. Hoffman, Jr.  
14 United States Magistrate Judge  
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26 These include the requirements that the prisoner-plaintiff seeking to proceed *in forma pauperis* 1) submits a  
27 certified copy of his prisoner trust fund account statement for the previous six months or, if incarcerated less than  
28 six months, the prisoner's account activity during the time of incarceration, 2) pays the full amount of the filing  
fee, and 3) that a prisoner seeking to file an action regarding prison conditions first exhausts available  
administrative remedies, *see* 28 U.S.C. § 1915(a)-(b); *Page*, 201 F.3d at 1139.